

REMARKS

Applicant has amended claims 1 and 3 and canceled claim 2 without prejudice. Applicant respectfully submits that these amendments to the claims are supported by the application as originally filed and do not contain any new matter. Accordingly, the Office Action will be discussed in terms of the claims as amended.

Applicant has objected to the figures stating that the motor of claim 4 is not shown in the drawings. Applicant respectfully submits that the present application only contains three claims and none of the three claims claims a motor.

The Examiner has rejected claims 1-3 under 35 USC 112, second paragraph, as being indefinite and as failing to define an invention in the manner required by 35 USC 112, second paragraph. In view of the amendments to the claims, Applicant respectfully submits that claims 1 and 3 comply with 35 USC 112, second paragraph.

The Examiner has rejected claims 1-3 under 35 USC 103 as being obvious over Snell et al. in view of Kruck et al., stating that Snell et al. shows a box 10 with side walls 12, 13 and 40, 41, a front part 51 having a frame part 53, a top plate 22 having engaging portions 30, 31 and counterpart engaging portions 40, 41, but fails to disclose blow molded panels filled with foamed material; Kruck et al. discloses foamed material between molded patterns; and it would have been obvious to one of ordinary skill in the art to modify Snell et al. in view of the teachings of Kruck et al.

In reply thereto, Applicant has carefully reviewed Snell et al. and respectfully submits that Snell et al. is a modular storage unit. In contrast thereto, Applicant's invention as now claimed is a thermal insulation box for an automatic ice making machine. In addition, in Applicant's further review of Snell et al. indicates that it discloses that the flanges 30 and 31 of the top plate 22 are correspondingly inserted into the flange receiving slots 42, 43 of the side wall 40 and 50. In contrast thereto and as apparent from Applicant's Fig. 12, the engagement portion 40 of the front panel 25 is engaged with the counterpart engaging portion 52 of the top plate 27. Therefore, Applicant respectfully submits that the construction of Applicant's invention is different and not suggested by Snell et al.

Also, Applicant has carefully reviewed Kruck et al. and respectfully submits that while Kruck et al. may show foam material between the panels, Kruck et al. discloses a refrigerator. In view of the fact that Snell et al. is a modular storage unit without any refrigerating or thermal

insulation purposes and Kruck et al. is a refrigerator, Applicant respectfully submits that one of ordinary skill in the art would not make the combination suggested by the Examiner.

In view of the above, therefore, Applicant respectfully submits that not only is the combination suggested by the Examiner not Applicant's invention but also the combination suggested by the Examiner is not suggested to one of ordinary skill in the art and one of ordinary skill in the art would not be motivated to make the combination suggested by the Examiner. Therefore, Applicant respectfully submits that claims 1 and 3 are not obvious over Snell et al. in view of Kruck et al.

Applicant further respectfully and retroactively requests a one month extension of time so as to respond to the Office Action. Please charge Deposit Account No. 11-1445 in the sum of \$110.00 as the fee.

In view of the above, therefore, it is respectfully requested that this Amendment be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

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 William L. Androlia

Name

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